

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
TRAVELERS CASUALTY AND SURETY COMPANY  
as Administrator for RELIANCE INSURANCE  
COMPANY,

Plaintiff,

-against-

DORMITORY AUTHORITY – STATE OF NEW YORK,  
TDX CONSTRUCTION CORP. and KOHN PEDERSEN  
FOX ASSOCIATES, P.C.,

Defendants.

-----X  
DORMITORY AUTHORITY – STATE OF NEW YORK  
and TDX CONSTRUCTION CORP.,

Third-Party Plaintiffs,

-against-

TRATAROS CONSTRUCTION, INC.,

Third-Party Defendant.

-----X  
TRATAROS CONSTRUCTION, INC. and TRAVELERS  
CASUALTY AND SURETY COMPANY,

Fourth-Party Plaintiffs,

-against-

CAROLINA CASUALTY INSURANCE COMPANY,  
BARTEC INDUSTRIES, INC., DAYTON SUPERIOR  
SPECIALTY CHEMICAL CORP. a/k/a DAYTON  
SUPERIOR CORPORATION, SPECIALTY  
CONSTRUCTION BRANDS, INC. t/a TEC, KEMPER  
CASUALTY INSURANCE COMPANY d/b/a KEMPER  
INSURANCE COMPANY, GREAT AMERICAN  
INSURANCE COMPANY, NATIONAL UNION FIRE  
INSURANCE COMPANY OF PITTSBURGH, PA,  
UNITED STATES FIRE INSURANCE COMPANY,  
ALLIED WORLD ASSURANCE COMPANY (U.S.) INC.  
f/k/a COMMERCIAL UNDERWRITERS INSURANCE  
COMPANY, ZURICH AMERICAN INSURANCE  
COMPANY d/b/a ZURICH INSURANCE COMPANY,  
OHIO CASUALTY INSURANCE COMPANY d/b/a OHIO  
CASUALTY GROUP, HARLEYSVILLE MUTUAL  
INSURANCE COMPANY (a/k/a HARLEYSVILLE  
INSURANCE COMPANY), JOHN DOES 1-20 and  
XYZ CORPS. 1-20,

Fourth-Party Defendants.

07 Civ. 6915 (DLC)  
**ECF CASE**

**COSENTINI  
ASSOCIATES, INC.'S  
ANSWER TO  
JORDAN PANEL  
SYSTEMS CORP.'S  
CROSS-CLAIM**

-----X  
KOHN PEDERSEN FOX ASSOCIATES, P.C.,

Third-Party Plaintiff,

-against-

WEIDLINGER ASSOCIATES CONSULTING  
ENGINEERS, P.C., CASTRO-BLANCO PISCIONERI  
AND ASSOCIATES, ARCHITECTS, P.C.,  
ARQUITECTONICA NEW YORK, P.C., COSENTINI  
ASSOCIATES, INC., CERMAK PETERKA PETERSEN,  
INC., JORDAN PANEL SYSTEMS CORP., TRATAROS  
CONSTRUCTION, INC. and LBL SKYSYSTEMS  
(U.S.A.), INC.,

Third-Party Defendants.  
-----X

Third-party defendant Cosentini Associates, Inc. ("Cosentini"), by its attorneys, L'Abbate, Balkan, Colavita & Contini, L.L.P., hereby answers the cross-claim of third-party defendant Jordan Panel System Corp. ("Jordan"), upon information and belief as follows:

**AS TO THE CROSS-CLAIM AGAINST COSENTINI  
FOR CONTRIBUTION/COMMON LAW INDEMNITY**

1. Denies all allegations made in paragraphs "82" and "83" of Jordan's cross-claim for contribution/indemnity.


WHEREFORE, third-party defendant Cosentini Associates, Inc. demands judgment on the cross-claim of third-party defendant Jordan Panel System Corp., with costs and disbursements and such other, further and different relief as this Court deems

just and proper.

DATED: Garden City, New York  
May 8, 2008

Yours, etc.,

L'ABBATE, BALKAN, COLAVITA  
& CONTINI, L.L.P.  
Attorneys for Third-Party Defendant  
Cosentini Associates, Inc.

By:   
MARTIN A. SCHWARTZBERG (MAS-6764)  
1001 Franklin Avenue, 3<sup>rd</sup> Floor  
Garden City, NY 11530  
(516) 294-8844

**TO: SEE ATTACHED SERVICE LIST**

**SERVICE LIST**

DREIFUSS, BONACCI & PARKER, LLP  
Attorneys for Plaintiff TRAVELERS CASUALTY AND SURETY COMPANY  
and 3<sup>rd</sup>-Party Defendant/4<sup>th</sup>-Party Plaintiff TRATAROS CONSTRUCTION, INC.  
26 Columbia Turnpike, North Entrance  
Florham Park, NJ 17932  
(973) 514-1414

ZETLIN & DECHIARA, LLP  
Attorneys for Defendant/3<sup>rd</sup>-Party Plaintiff KOHN PEDERSEN FOX ASSOCIATES, P.C.  
801 Second Avenue  
New York, NY 10017  
(212) 682-6800

HOLLAND & KNIGHT, LLP  
Attorneys for Defendant/3<sup>rd</sup>-Party Plaintiff THE DORMITORY AUTHORITY  
OF THE STATE OF NEW YORK  
195 Broadway  
New York, NY 10007  
(212) 513-3484

TORRE, LENTZ, GAMMELL, GARY & RITTMASER, LLP  
Attorneys for 4<sup>th</sup>-Party Defendant CAROLINA CASUALTY INSURANCE COMPANY  
100 Jericho Quadrangle, Suite 309  
Jericho, NY 11753  
(516) 240-8900

THELEN REID BROWN RAYSMAN & STEINER LLP  
Attorneys for 3<sup>rd</sup>-Party Defendant LBL SKYSYSTEMS (U.S.A.) INC.  
875 Third Avenue  
New York, NY 10022  
(212) 603-6756

THE O'BRYAN LAW CENTER  
Attorneys for 4<sup>th</sup>-Party Defendant BARTEC INDUSTRIES, INC.  
401 South Woodward, Suite 320  
Birmingham, MI 48009  
(248) 258-6262

GOLDBERG SEGALLA, LLP  
Attorneys for 4<sup>th</sup>-Party Defendant DAYTON SUPERIOR SPECIALTY CHEMICAL CORP.  
170 Hamilton Avenue  
White Plains, NY 10601

GOGICK, BYRNE & O'NEILL, LLP

Attorneys for 3<sup>rd</sup>-Party Defendants WEIDLINGER ASSOCIATES CONSULTING ENGINEERS, P.C., CASTRO-BLANCO PISCIONERI AND ASSOCIATES, ARCHITECTS, P.C. and ARQUITECTONICA NEW YORK, P.C.

11 Broadway, Suite 1560  
New York, NY 10004-1314  
(212) 422-9424

O'CONNOR & GOLDER, LLP

Attorneys for 3<sup>rd</sup>-Party Defendant JORDAN PANEL SYSTEMS CORP.

16 Rose Drive  
Saylorsburg, PA 18353  
(570) 619-4191

CONNELL FOLEY LLP

Attorneys for 3<sup>rd</sup>-Party Defendant CERMAK, PETERKA PETERSEN, INC.

888 Seventh Avenue  
New York, NY 10106  
(212) 262-2390

MOUND, COTTON, WOLLAN & GREENGRASS

Attorneys for 4<sup>th</sup>-Party Defendant ALLIED WORLD ASSURANCE CO.

One Battery Park Plaza, 9<sup>th</sup> Floor  
New York, NY 10004  
(212) 804-4200

TOMPKINS, McGUIRE, WACHENFELD & BARRY, LLP

Attorneys for 4<sup>th</sup>-Party Defendant KEMPER INSURANCE CO.

4 Gateway Center, 100 Mulberry Street  
Newark, NJ 07012  
(973) 622-3000

CARROLL, McNULTY & KULL

Attorneys for 4<sup>th</sup>-Party Defendant UNITED STATES FIRE INSURANCE CO.

570 Lexington Avenue, 10<sup>th</sup> Floor  
New York, NY 10022  
(212) 252-0004

SEGAL, McCAMBRIDGE, SINGER & MAHONEY

Attorneys for 4<sup>th</sup>-Party Defendant SPECIALTY CONSTRUCTION BRANDS, INC.

830 Third Avenue, 4<sup>th</sup> Floor  
New York, NY 10022  
(212) 651-7500

GENNET, KALLMANN, ANTIN & ROBINSON, P.C.  
Attorneys for 4<sup>th</sup>-Party Defendant GREAT AMERICAN INSURANCE CO.  
45 Broadway Atrium  
New York, NY 10006  
(212) 406-1919

MELITO & ADOLFSEN, P.C.  
Attorneys for 4<sup>th</sup>-Party Defendant ZURICH AMERICAN INSURANCE CO.  
233 Broadway  
New York, NY 10279  
(212) 238-8900

GREEN & LAVELLE  
Attorney for 4<sup>th</sup>-Party Defendant NATIONAL UNION FIRE INSURANCE CO.  
110 William Street, 18<sup>th</sup> Floor  
New York, NY 10038  
(212) 266-5880

MORGAN, MELHUISE, MONAGHAN, ARVIDSON, ABRUNTYN & LISOWSKI  
Attorneys for 4<sup>th</sup>-Party Defendant OHIO CASUALTY INSURANCE CO.  
39 Broadway, 35<sup>th</sup> Floor  
New York, NY 10006  
(212) 735-8600

RIKER, DANZIG, SCHERER, HYLAND & PERRETTI, LLP  
Attorneys for 4<sup>th</sup>-Party Defendant HARLEYSVILLE MUTUAL INSURANCE CO.  
One Speedwell Avenue, P.O. Box 1981  
Morristown, NJ 07962  
(973) 451-8447

AFFIDAVIT OF SERVICE


STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF NASSAU )

KAREN A. STAUDT, being duly sworn, deposes and says that deponent is not a party to the within action, is over 18 years of age and resides in Suffolk County, New York.

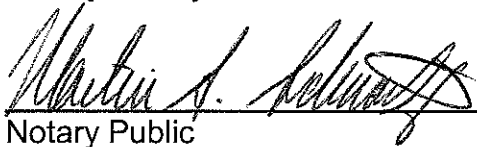
That on the 8<sup>th</sup> day of May, 2008, deponent served the within ANSWER TO JORDAN PANEL SYSTEM CORP.'S CROSS-CLAIM upon:

**SEE ATTACHED SERVICE LIST**

the attorney(s) for the respective parties in this action, at the above address(es) designated by said attorney(s) for that purpose by depositing same enclosed in a postpaid, properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Post Office within the State of New York.

  
KAREN A. STAUDT

Sworn to before me this  
8<sup>th</sup> day of May, 2008

  
Notary Public

MARTIN A. SCHWARTZBERG  
Notary Public, State of New York  
No. 02SC4959786  
Qualified in Nassau County  
Commission Expires December 11, 2009

**SERVICE LIST**

DREIFUSS, BONACCI & PARKER, LLP  
Attorneys for Plaintiff TRAVELERS CASUALTY AND SURETY COMPANY  
and 3<sup>rd</sup>-Party Defendant/4<sup>th</sup>-Party Plaintiff TRATAROS CONSTRUCTION, INC.  
26 Columbia Turnpike, North Entrance  
Florham Park, NJ 17932  
(973) 514-1414

ZETLIN & DECHIARA, LLP  
Attorneys for Defendant/3<sup>rd</sup>-Party Plaintiff KOHN PEDERSEN FOX ASSOCIATES, P.C.  
801 Second Avenue  
New York, NY 10017  
(212) 682-6800

HOLLAND & KNIGHT, LLP  
Attorneys for Defendant/3<sup>rd</sup>-Party Plaintiff THE DORMITORY AUTHORITY  
OF THE STATE OF NEW YORK  
195 Broadway  
New York, NY 10007  
(212) 513-3484

TORRE, LENTZ, GAMMELL, GARY & RITTMASER, LLP  
Attorneys for 4<sup>th</sup>-Party Defendant CAROLINA CASUALTY INSURANCE COMPANY  
100 Jericho Quadrangle, Suite 309  
Jericho, NY 11753  
(516) 240-8900

THELEN REID BROWN RAYSMAN & STEINER LLP  
Attorneys for 3<sup>rd</sup>-Party Defendant LBL SKYSYSTEMS (U.S.A.) INC.  
875 Third Avenue  
New York, NY 10022  
(212) 603-6756

THE O'BRYAN LAW CENTER  
Attorneys for 4<sup>th</sup>-Party Defendant BARTEC INDUSTRIES, INC.  
401 South Woodward, Suite 320  
Birmingham, MI 48009  
(248) 258-6262

GOLDBERG SEGALLA, LLP  
Attorneys for 4<sup>th</sup>-Party Defendant DAYTON SUPERIOR SPECIALTY CHEMICAL CORP.  
170 Hamilton Avenue  
White Plains, NY 10601



GOGICK, BYRNE & O'NEILL, LLP

Attorneys for 3<sup>rd</sup>-Party Defendants WEIDLINGER ASSOCIATES CONSULTING ENGINEERS, P.C., CASTRO-BLANCO PISCIONERI AND ASSOCIATES, ARCHITECTS, P.C. and ARQUITECTONICA NEW YORK, P.C.

11 Broadway, Suite 1560  
New York, NY 10004-1314  
(212) 422-9424

O'CONNOR & GOLDER, LLP

Attorneys for 3<sup>rd</sup>-Party Defendant JORDAN PANEL SYSTEMS CORP.

16 Rose Drive  
Saylorsburg, PA 18353  
(570) 619-4191

CONNELL FOLEY LLP

Attorneys for 3<sup>rd</sup>-Party Defendant CERMAK, PETERKA PETERSEN, INC.

888 Seventh Avenue  
New York, NY 10106  
(212) 262-2390

MOUND, COTTON, WOLLAN & GREENGRASS

Attorneys for 4<sup>th</sup>-Party Defendant ALLIED WORLD ASSURANCE CO.

One Battery Park Plaza, 9<sup>th</sup> Floor  
New York, NY 10004  
(212) 804-4200

TOMPKINS, McGUIRE, WACHENFELD & BARRY, LLP

Attorneys for 4<sup>th</sup>-Party Defendant KEMPER INSURANCE CO.

4 Gateway Center, 100 Mulberry Street  
Newark, NJ 07012  
(973) 622-3000

CARROLL, McNULTY & KULL

Attorneys for 4<sup>th</sup>-Party Defendant UNITED STATES FIRE INSURANCE CO.

570 Lexington Avenue, 10<sup>th</sup> Floor  
New York, NY 10022  
(212) 252-0004

SEGAL, McCAMBRIDGE, SINGER & MAHONEY

Attorneys for 4<sup>th</sup>-Party Defendant SPECIALTY CONSTRUCTION BRANDS, INC.

830 Third Avenue, 4<sup>th</sup> Floor  
New York, NY 10022  
(212) 651-7500

GENNET, KALLMANN, ANTIN & ROBINSON, P.C.  
Attorneys for 4<sup>th</sup>-Party Defendant GREAT AMERICAN INSURANCE CO.  
45 Broadway Atrium  
New York, NY 10006  
(212) 406-1919

MELITO & ADOLFSEN, P.C.  
Attorneys for 4<sup>th</sup>-Party Defendant ZURICH AMERICAN INSURANCE CO.  
233 Broadway  
New York, NY 10279  
(212) 238-8900

GREEN & LAVELLE  
Attorney for 4<sup>th</sup>-Party Defendant NATIONAL UNION FIRE INSURANCE CO.  
110 William Street, 18<sup>th</sup> Floor  
New York, NY 10038  
(212) 266-5880

MORGAN, MELHUISE, MONAGHAN, ARVIDSON, ABRUNTYN & LISOWSKI  
Attorneys for 4<sup>th</sup>-Party Defendant OHIO CASUALTY INSURANCE CO.  
39 Broadway, 35<sup>th</sup> Floor  
New York, NY 10006  
(212) 735-8600

RIKER, DANZIG, SCHERER, HYLAND & PERRETTI, LLP  
Attorneys for 4<sup>th</sup>-Party Defendant HARLEYSVILLE MUTUAL INSURANCE CO.  
One Speedwell Avenue, P.O. Box 1981  
Morristown, NJ 07962  
(973) 451-8447